

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES AND COMMERCE

Call to Order: By **VICE CHAIRMAN TOM KEATING**, on January 28, 1999
at 8:00 A.M., in Room 201 Capitol.

ROLL CALL

Members Present:

Sen. Tom Keating, Vice Chairman (R)
Sen. William Crismore (R)
Rep. Dick Haines (R)
Sen. Linda Nelson (D)
Rep. Joe Tropila (D)

Members Excused: Rep. John Witt, Chairman (R)

Members Absent: None.

Staff Present: Summer Alger, Committee Secretary
Roger Lloyd, Legislative Branch
Shirley Moore, OBPP

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing: HB 2 - Dept. Fish, Wildlife & Parks
Budget
Executive Action: HB 2 - Dept. Fish, Wildlife & Parks
Budget

HEARING ON HB 2 - DEPT. FW&P BUDGET - LANGUAGE

Roger Lloyd handed out House Bill 2 Language requested by the
committee, and asked the members to read it over before approval.

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EXHIBIT(jnh22a01)

EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - LANGUAGE

{Tape : 1; Side : A; Approx. Time Counter : 3.6}

Motion: SEN. NELSON moved that HB 2 LANGUAGE AS WRITTEN UP BY
ROGER LLOYD BE ADOPTED.

**Rep. Tropila and Rep. Haines had not arrived yet*

**HEARING ON HB 2 - DEPT. FW&P BUDGET - ADMINISTRATION & FINANCE
DIVISION**

Present Law Adjustments:

DP 105

Dave Mott discussed this decision package, answered committee questions, and gave handouts on the Automated Licensing System: Six Year Costs FY98 through FY99; Six Year Savings FY98 through FY99.

EXHIBIT(jnh22a02) & **EXHIBIT(jnh22a03)**, respectively.

Sen. Keating questioned **Mr. Mott** on the grand total and if it was made up of both state and federal money. He then asked **Mr. Mott** about the additional \$500,000 and if it was paid to MCI and Wesco.

Rep. Tropila commented, then **Sen. Keating** commented and asked **Mr. Mott** about the 45:55 funding split, and if there is a financial savings or return when done with this. A handout with examples of handwritten licenses was distributed to illustrate legibility.

EXHIBIT(jnh22a04)

Rep. Tropila questioned **Mr. Mott** on the current cost of licenses and base personnel hunting. **Sen. Nelson** commented on the last biennium's discussion of this issue (decrease of fee from \$.50 to \$.28). **Sen. Crismore** asked how much money has actually been spent up to now on this project, and **Rep. Tropila** inquired if they are also requesting \$750,000. **Sen. Keating** asked about the price of the contract, if they are obligated, and to what amount of money.

Roger Lloyd discussed the LFD Issues on page C-9 of the Legislative budget Analysis 2001 Biennium: Agency Budgets, Vol. 1, January 1999, LFD.

**The Legislative Budget Analysis (LBA) 2001 budget book will not be referred to as an exhibit, however, budget information from other sources will be noted as exhibits.*

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Sen. Nelson asked **Mr. Mott** how someone gets to be a license agent, then **Rep. Tropila** asked if they are still standing by their decrease in FTE's. **Sen. Keating** inquired if it shows up in present law adjustments or does the committee modify it to recognize the \$466,000 savings. **Roger Lloyd** questioned the department on the status sheets they passed out earlier, and **Mr. Mott** commented that the costs are \$35,425 less. **Mr. Lloyd** then questioned the Costs handout and if the \$8.84 million includes the \$35,425 reduction offered by the department, \$881,682 for design changes and operational upgrading, \$500,000 for delayed implementation, and \$171,000 for risk management.

Rep. Tropila went to move DP 105 at \$8,830,409, but **Mr. Mott** said that it would actually only be \$2,599,201. **Mr. Lloyd** commented that if this were approved, the adjustment would be \$2,599,201. The base plus the increase is what would be in the biennial appropriation. **Sen. Keating** asked if the base could not be taken out, and **Mr. Mott** commented that there is \$0 in base now.

Sen. Keating inquired as to when the committee will drop the FTE's. The department replied that since the budget has already been cut they would like to keep 3 FTE's until they see where they are at with the system.

**EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - ADMINISTRATION &
FINANCE DIVISION**

{Tape : 1; Side : B; Approx. Time Counter : 29.7}

Motion/Vote: REP. TROPILA moved that DP 105 AT \$2,599,201 BE ADOPTED AS A BIENNIAL APPROPRIATION. SECONDED by SEN. CRISMORE. Motion carried 4-1 with Nelson voting no.

DP 106

**EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - ADMINISTRATION &
FINANCE DIVISION**

{Tape : 2; Side : A; Approx. Time Counter : 2.9}

Motion/Vote: SEN. NELSON moved that DP 106 BE ADOPTED. SECONDED by SEN. CRISMORE. Motion carried unanimously.

DP 107

Sen. Crismore inquired about the price of a moose license.

**EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - ADMINISTRATION &
FINANCE DIVISION**

{Tape : 2; Side : A; Approx. Time Counter : 5}

Motion/Vote: SEN. NELSON moved that DP 107 BE ADOPTED. SECONDED
by SEN. CRISMORE. Motion carried unanimously.

DP 108

**EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - ADMINISTRATION &
FINANCE DIVISION**

{Tape : 2; Side : A; Approx. Time Counter : 6.1}

Motion/Vote: SEN. NELSON moved that DP 108 BE ADOPTED. SECONDED
by SEN. CRISMORE. Motion carried unanimously.

New Proposals:

DP 101

Sen. Keating asked if this is part of the overall program with
all of the departments, and if it will blend with all state
systems or cause problems there. **Dave Mott** asked if they could
shift \$100,000 to the total federal funding. **Sen. Keating**
questioned the FTE's and program dates for MTPPRIME.

**EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - ADMINISTRATION &
FINANCE DIVISION**

{Tape : 2; Side : A; Approx. Time Counter : 17.7}

Motion/Vote: SEN. CRISMORE moved that DP 101 BE ADOPTED AT THE
LEVEL OF \$651,000 STATE SPECIAL REVENUE AND \$100,000 FEDERAL
FUNDS. SECONDED by REP. HAINES. Motion carried unanimously.

Proprietary Rates:

Duplicating Center

Dave Mott handed out a sheet on Duplicating Rates FY98 through
FY01.

EXHIBIT (jnh22a05)

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Sen. Keating questioned information on the Duplicating Services Proprietary Account Rates on page **C-11** of the LBA 2001 budget book. He also asked why they are increasing the printing costs in this area if it is proprietary, and if these rates are built into the rest of the budget.

Rep. Tropila asked if they do printing for other departments, if the printshop is well worked, and if the contract with Dept. of Ag comparable. **Mr. Mott** then commented that they do not do reprographics.

**EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - ADMINISTRATION &
FINANCE DIVISION**

{Tape : 2; Side : A; Approx. Time Counter : 25.7}

Motion/Vote: SEN. NELSON moved that PROPRIETARY RATES BE ADOPTED FOR DUPLICATING AND BINDING. SECONDED by SEN. CRISMORE. Motion carried unanimously.

Motor Pool

Roger Lloyd commented on this request, and **Sen. Keating** asked if there are any rate changes here. **Mr. Mott** referred to the Report on Internal Service & Enterprise Funds, 2001 Biennium on page **C-14** of the LBA 2001 budget book. **Sen. Keating** then asked for some comparisons, and **Rep. Tropila** inquired as to how many helicopters/aircraft they have.

**EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - ADMINISTRATION &
FINANCE DIVISION**

{Tape : 2; Side : A; Approx. Time Counter : 30.7}

Motion/Vote: SEN. NELSON moved that MOTOR POOL PROPRIETARY RATES BE ADOPTED. SECONDED by REP. HAINES. Motion carried 4-1 with Keating voting no.

Warehouse Inventory

Sen. Keating asked about split funding and if there is an administrative rate the feds charge. **Rep. Tropila** asked if this includes weapons, while **Sen. Nelson** inquires about the Report on Internal Service & Enterprise Funds, 2001 Biennium on page **C-16** of the LBA 2001 budget book.

**EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - ADMINISTRATION &
FINANCE DIVISION**

{Tape : 2; Side : B; Approx. Time Counter : 3.6}

Motion/Vote: SEN. NELSON moved that WAREHOUSE INVENTORY PROPRIETARY RATES BE ADOPTED. SECONDED by SEN. CRISMORE. Motion carried unanimously.

Information Technology Pay Plan Exception

Dave Mott brought this request in by hand because the department missed the "snapshot date".

EXHIBIT (jnh22a06)

Roger Lloyd commented that if this were approved, the committee would need to know exactly how it is funded, and if there are federal funds involved also.

**EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - ADMINISTRATION &
FINANCE DIVISION**

{Tape : 2; Side : B; Approx. Time Counter : 7.8}

Motion/Vote: SEN. NELSON moved that INFORMATION TECHNOLOGY PAY PLAN EXCEPTION BE ADOPTED AT THE LEVEL OF \$79,974 IN FY00 AND \$78,680 IN FY01. SECONDED by REP. HAINES. Motion carried 4-1 with Keating voting no.

Director Graham commented on the automated licensing system, and Mr. Mott commented that the system will be driven by a drivers license.

Break @ 9:47am *{Tape : 2; Side : B; Approx. Time Counter : 11.8}*

HEARING ON HB 2 - DEPT. FW&P BUDGET - WILDLIFE DIVISION

Glen Erickson, Assistant Administrator, Wildlife Division, gave a brief budget overview presentation. Sen. Keating inquired about the mitigation trust money, and Rep. Tropila asked when a corpus could be touched. Sen. Crismore inquired about Kerr Dam fund money, and Rep. Haines asked what limitations are on the trust.

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Mr. Erickson continued with his presentation. While discussing some of the division projects, he handed out booklets: Grizzly Bear Management Specialist Report, Western Montana, Dec. 1999; Grizzly Bear Management of the Yellowstone Ecosystem in Montana, 1997; Interim Coyote Report, Dec. 1998; and Upland Game Bird Habitat Enhancement Program, Jan. 1999.

EXHIBIT(jnh22a07), **EXHIBIT(jnh22a08)**, **EXHIBIT(jnh22a09)**, and **EXHIBIT(jnh22a10)**, respectively.

Present Law Adjustments:

DP 502

Mr. Erickson replied to **Sen. Keating's** question on DP 502 on page C-28 of the LBA 2001 budget book. **Sen. Nelson** inquired about the portions spent on pheasant planting and wildlife enhancement. She then commented, from experience with it, that this program is a big headache in her area, and she cannot see an increase. **Sen. Keating** asked for clarification on this program.

Rep. Haines asked if this money they have now could be used elsewhere, which it cannot because it is earmarked. **Sen. Nelson** explained the program and commented that the money is also good for habitat enhancement, though, the pheasant program needs to be reigned in.

Sen. Keating asked the source of revenue and if unused funds revert. **Sen. Crismore** commented that although he does not want to see the program gone, he does not disagree with **Sen. Nelson**. **Sen. Keating** commented that they have \$1.5 million to work with, and **Sen. Crismore** commented that he would not like to restrict the bird planting to none at all. **Mr. Lloyd** commented that any language put into HB 2 cannot override statute, then **Sen. Keating** asked for statutory language and will take DP 502 under advisory until have further information.

DP 503

EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - WILDLIFE DIVISION

{Tape : 3; Side : A; Approx. Time Counter : 24}

Motion/Vote: **SEN. CRISMORE** moved that **DP 503 BE ADOPTED AS ONE-TIME-ONLY AND RESTRICTED TO THE STUDY. SECONDED** by **REP. HAINES**. Motion carried unanimously.

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Motion/Vote: SEN. CRISMORE moved that the BASE ALSO BE
RESTRICTED ALONG WITH THE ADDITIONAL FUNDING. SECONDED by REP.
HAINES. Motion carried unanimously.

**Rep. Witt was not present.*

DP 504

Sen. Keating asked Mr. Lloyd about the amount in the base, and
Sen. Crismore questioned Mr. Erickson on license account money.

EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - WILDLIFE DIVISION

{Tape : 3; Side : B; Approx. Time Counter : 0.1}

Motion/Vote: REP. TROPILA moved that DP 504 BE ADOPTED INCLUDING
THE BASE AND INCREASE WITH A RESTRICTION ONLY FOR THE BIGHORN
SHEEP PROGRAM. SECONDED by SEN. CRISMORE. Motion carried 4-1 with
Keating voting no.

**Rep. Witt was not present.*

DP 505

EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - WILDLIFE DIVISION

{Tape : 3; Side : B; Approx. Time Counter : 2.2}

Motion/Vote: SEN. NELSON moved that DP 505 BE ADOPTED. SECONDED
by SEN. CRISMORE. Motion carried unanimously.

**Rep. Witt was not present.*

DP 506

Sen. Crismore inquired about the tractor and rockpicker.

EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - WILDLIFE DIVISION

{Tape : 3; Side : B; Approx. Time Counter : 4.1}

Motion/Vote: SEN. CRISMORE moved that DP 506 BE ADOPTED.
SECONDED by SEN. NELSON. Motion carried 4-1 with Keating voting
no.

**Rep. Witt was not present.*

DP 507

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Sen. Keating questioned the FTE's, if they are temporary or permanent. **Mr. Mott** commented that when the contracts are gone, so are the FTE's.

EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - WILDLIFE DIVISION

{Tape : 3; Side : B; Approx. Time Counter : 8.7}

Motion/Vote: SEN. CRISMORE moved that DP 507 BE ADOPTED. SECONDED by SEN. NELSON. Motion carried 4-1 with Keating voting no.

**Rep. Witt was not present.*

DP 509

Sen. Keating asked if this increase is due to the increase in rates, then asked about the funding split.

EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - WILDLIFE DIVISION

{Tape : 3; Side : B; Approx. Time Counter : 12.7}

Motion/Vote: SEN. NELSON moved that DP 509 AT THE LEVEL OF \$69,866 BE ADOPTED. SECONDED by SEN. CRISMORE. Motion carried 4-0.

**Rep. Tropila did not vote & Rep. Witt was not present.*

Information Technology Pay Plan Exception

EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - WILDLIFE DIVISION

{Tape : 3; Side : B; Approx. Time Counter : 14.2}

Motion/Vote: SEN. NELSON moved that INFORMATION TECHNOLOGY PAY PLAN EXCEPTION BE ADOPTED. SECONDED by SEN. CRISMORE. Motion carried unanimously.

**Rep. Witt was not present.*

DP 501

Sen. Keating questioned the listing of the prairie dog as an endangered species. **Janet Ellis, MT Audubon Society**, commented on the tribal effort with the blackfooted ferret. **Rep. Tropila** asked if there is any money left over from last year, and **Rep. Haines** inquired if the money buys the kits.

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Sen. Keating asked if prairie dogs still carry the plague. He asked how the ranchers deal with this program, and if they/we are being restricted with the use of state/public lands up there.

Sen. Keating then commented that hunting and fishing license fees are paying for 1/4 of this program.

EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - WILDLIFE DIVISION

{Tape : 3; Side : B; Approx. Time Counter : 25.7}

Motion: REP. HAINES moved that DP 501 AS ONE-TIME-ONLY BE ADOPTED. Failed for lack of a second.

DP 508

Roger Lloyd commented on the LFD Issue and passed out the statute on game farms.

EXHIBIT(jnh22a11)

Sen. Keating inquired if there is a bill out to move game farms from Dept. FW&P to Dept. of Livestock. **Sen. Nelson** asked what happens in this committee if that bill goes through. **Sen. Keating** asked about testing of wild animals and game farm animals, and **Mr. Erickson** commented on diseases in the wild population of Colorado and Wyoming. **Rep. Tropila** then asked **Director Graham** to share his thoughts on moving game farms to Dept. of Livestock.

EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - WILDLIFE DIVISION

{Tape : 4; Side : A; Approx. Time Counter : 3.9}

Motion/Vote: SEN. CRISMORE moved that DP 508 BE ADOPTED. **SECONDED** by REP. HAINES. Motion carried unanimously.

**Rep. Witt was not present.*

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ADJOURNMENT

Adjournment: 11:25 A.M.

REP. JOHN WITT, Chairman

SUMMER ALGER, Secretary

JW/SA

EXHIBIT (jnh22aad)